

**Correspondence Between
Staff and Applicant
Approval Letter**



Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

Date: 8/17/18
Contact Name: DAVE GULINO
Firm Name: LAND DEV. SVCS
Address: _____
City, State, Zip: _____

RE: Application Accepted for Review.

136 - PA 2018

Dear DAVE:

It has been determined that your Development Application for _____
has been accepted for review.

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Name: JESUS MURILLO
Title: SENIOR PLANNER
Phone Number: (480) 312 - 7849
Email Address: jmurillo @ScottsdaleAZ.gov

18-ZN-2018
8/17/2018



Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

Date: _____
Contact Name: _____
Firm Name: _____
Address: _____
City, State, Zip: _____

RE: Minimal Submittal Comments

_____ - PA - _____

Dear _____:

It has been determined that your Development Application for _____
Does not contain the minimal information, and has not been accepted for review.

Please refer to the application checklist and the Minimal Information to be Accepted for Review Checklist, and the Plan & Report Requirements pertaining to the minimal information necessary to be accepted for review.

PLEASE CALL 480-312-7000 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT.

These **Minimal Submittal Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

Sincerely,

Name: _____
Title: _____
Phone Number: (480) 312 - _____
Email Address: _____@ScottsdaleAZ.gov



December 13, 2018

City of Scottsdale
Jesus Murillo
7447 East Indian School Road
Scottsdale, AZ 85251

RE: 18-ZN-2018
McDowell Mountain Manor

Dear Mr. Murillo-

The following are the comments we received as a result of the City Staff's 1st Review of the subject case along with our responses to each.

General Plan, Zoning Ordinance, and Scottsdale Revise Code Significant Issues

2001 General Plan / Dynamite Foothills Character Area Analysis:

1. Please respond to the 2001 General Plan Open Space and Recreation Element, Goal #1. Please expand on the discussion of what this proposal is providing in terms of buffering between the subject property, adjacent neighbors and planned roadways. Please discuss the method of application in providing these open spaces. Consider the provisions of both Buffered Roadway in the response. Please address bullets 1, 9, 20, 22 and 23.

THE NARRATIVE HAS BEEN UPDATED

- a. Case 1-GP-2004, identified Scenic Roadway Designations as part of the 2001 General Plan. Ranch Gate Road is classified as a Buffered Roadway, provides setback widths in the range of 40 to 50 feet in dimension in accordance with ESLO NAOS priorities, the placement of NAOS, and zoning setbacks. However, adjacent setbacks surrounding the subject site are greater than amended side yard setbacks (15 feet) provided with lots 1 and 7. With a resubmittal, please provide a Buffered Roadway graphic, outlining those areas proposed as being dedicated as a Scenic Corridor, as proposed along 128th Street and the above policy for Ranch Gate Road shown from the back of the ultimate street improvement.

For reference, see the following link:

<https://eservices.scottsdaleaz.gov/eServices/cases/casesheet.aspx?caseid=26962>

CASE 1-GP-2004 DOES IDENTIFY SCENIC ROADWAY DESIGNATIONS AS PART OF THE 2001 GENERAL PLAN AND AS SUCH A SCENIC CORRIDOR WITH A MINIMUM WIDTH OF EIGHT-FIVE (85) FEET SHALL BE INCLUDED ALONG 128TH STREET. CASE 1-GP-2004 ALSO RECOGNIZES THAT LONE MOUNTAIN ROAD, DESERT MOUNTAIN PARKWAY, AND HAPPY VALLEY ROAD ARE ALL ROADS WITH MAJOR BUFFERS. HOWEVER, THE CASE ALSO STATES THAT "NO ADDITIONAL SCENIC CORRIDORS OR BUFFERED SETBACKS/PARKWAYS WERE INCLUDED IN THIS UPDATE OR THE 2001

**18-ZN-2018
02/15/2019**

GENERAL PLAN UPDATE." THEREFOR, E. RANCH GATE ROAD DOES NOT QUALIFY AS A BUFFERED ROADWAY.

2. This application includes a request for amended development standards. Please state what the proposal is providing to justify the amended development standards. For example, the application requests amended development standards to accommodate sensitive areas; specifically Page 6 of the narrative refers to the Guiding Principle to Preserve Meaningful Open Space and speaks to the amount of NAOS that is proposed. However, this NAOS is proposed as on lot rather than tract NAOS. Tract NAOS provides greater assurances that the open space will be retained and preserved. Therefore, in consideration to the request for amended development standards, please consider replacing on lot NAOS with Tract NAOS so that the open space provided by this development proposal will be protected permanently.

THIS APPLICATION DOES NOT INCLUDE A REQUEST FOR AMENDED DEVELOPMENT STANDARDS BUT DOES MENTION THAT AMENDED DEVELOPMENT STANDARDS WILL BE REQUESTED AND UTILIZED DURING THE PLATTING PROCESS. THE MODIFIED STANDARDS ARE THE TOOL THAT ALLOWS FOR THE GREATEST AMOUNT OF NAOS TO BE PLACED IN TRACTS, VERSUS ON-LOT. THE NARRATIVE HAS BEEN UPDATED TO ADDRESS THIS COMMENT (SEE PAGE 7).

Upon resubmittal please update the graphics provided with the 1st submittal narrative as noted below:

- a. To ensure the protection of significant environmental features - i.e. boulder outcroppings, significant landforms, etc., please provide additional detail that identifies these environmental features on the conceptual site plan that also identifies planned roadways, drainage corridors, and any other planned improvements.

PLANS & NARRATIVE HAVE BEEN UPDATED

- b. Please graphically depict, if any, individual lot or site walls associated with the proposed subdivision. If there are to be such improvements, please respond in the project narrative as to the consideration made in locating the wall and further, how the goal of preserving Natural Area Open Space (NAOS) will be maintained. Please consider the guidelines of the Dynamite Foothills Character Area Implementation Plan, Page 29.

ALL WALLS SHALL BE LOCATED IN THE ENTRY OPEN SPACE TRACTS OR WITHIN THE BUILDING ENVELOPES ON INDIVIDUAL LOTS. ALL WALLS WITHIN BUILDING ENVELOPE AREAS WILL BE AT LEAST FIVE (5) FEET FROM THE BUILDING ENVELOPE BOUNDARY. THE PLANS AND NARRATIVE HAVE BEEN UPDATED ACCORDINGLY (SEE PAGE 8)

3. The Dynamite Foothills Character Area Plan was developed considering the context of the plan's boundary relative to its location in Scottsdale (particularly its proximity to the McDowell Sonoran Preserve), and the vision to maintain the Rural Desert Character of this area. Please describe in greater detail how the rezoning density proposed is consistent with Rural Desert Character expected by the Dynamite Foothills Character Area Plan. Consider the requested zoning district category as compared to established zoning districts that surround the subject property – recognizing the following:
 - Sereno Canyon was developed with a Resort/Tourism Land Use Designation which along with the approved entitlements brought forward by 1-ZN-2005#2, 10-GP-2001, and 16-ZN-2011 accommodated a specialty resort as part of the approved site plan that exhibited

methods of clustered development within the site, along with the resort villas, casitas, and main resort areas which based on the approved lot layout, buffered and transitioned from the resort community to the surrounding single family neighborhood – in all total, netting 1.1 dwelling units per acre.

- Cavalliere Ranch, now Storyrock, approved by 13-ZN-2014 was developed under the Planned Community District which is designed and intended to enable and encourage the development of large tracts of land through master-planning– in all total, netting 1 dwelling unit per acre.
- Please remark on how the requested rezoning improves upon the goals and approaches set forth by the 2001 General Plan, Dynamite Foothills Character Area Plan and the previously approved preliminary plat 11-PP-2008#2, which envisioned a just over a third (13) of the proposed lots but provided a similar amount of Natural Area Open Space (NAOS).

NARRATIVE HAS BEEN UPDATED SEE PAGES 43-45

4. The Dynamite Foothills Character Area Plan remarks on the strategy to preserve the existing rural desert character by encouraging and allowing development densities that would be permitted under current zoning and General Plan designations - which is 1 unit per acre or less per the General Plan Rural Neighborhoods designation and 1 unit per roughly 3 acres per the subject site's current zoning designation (R1-130 ESL). With a resubmittal, please respond to how the requested rezoning better implements the aforementioned strategy - moreover, the Dynamite Foothills Character Area. The Dynamite Foothills Character Area Plan speaks to minimizing environmental impacts created by development. The Dynamite Foothills Character Area Plan identifies areas, within the Dynamite Foothills Character Area, that may require density adjustments. The proposed project area is not identified by the Dynamite Foothills Character Area Plan as such an area (DFCAP, Goal 1, Strategy 1, page 2 and 13).

NARRATIVE HAS BEEN UPDATED SEE PAGE 45

5. Please review the Dynamite Foothills Character Area Plan's Implementation Program for identified areas of constraints and design guidelines. Update the provided narrative to address how the proposed project will adhere to this implementation program (DFCA Implementation Program, page 2).

NARRATIVE HAS BEEN UPDATED SEE PAGE 45

6. Please respond to the Dynamite Foothills Character Area Plan's Implementation Program Design and Performance Guidelines 1 and related bullets addressing Location Standards and Sensitivity to Setting. As needed, revise the provided narrative to address how the proposed project is consistent with the Guidelines. Specifically, please address the location of construction envelopes on slopes exceeding 15% and also how the project will minimize any needed cut and fill on slopes of 10% or steeper. Therefore, please provide cuts and fills exhibit and update the conceptual site plan to show conceptual, but strategic, building envelopes that respond to how the proposed development will protect this sensitive terrain.

7. With a resubmittal, please provide an updated Citizen Involvement Report.

UPDATED CITIZEN INVOLVEMENT REPORT INCLUDED WITH THIS SUBMITTAL.

Zoning:

8. The project ALTA identifies the area for the site to be 39.256 acres, more or less. The project narrative identifies the proposed zoning to be R1-43/ESL, the proposed number of lots to be 33, and the proposed density to be 0.84 dwelling units per acre. Although the General Plan allows for the maximum density of one (1) dwelling unit per acre, the ESL Ordinance limits the density within a R1-43 zoning district to 0.83 dwelling units per acre. The proposal appears to be for 0.84 dwelling units per acre, more than allowable by the proposed zoning district (33 units/39.256 acres). Please update the request to be at, or below, the allowable density, or amend the application in another fashion that will be consistent with the General Plan or the proposed zoning district.

THE ALTA SUBMITTED IDENTIFIED NET ACREAGE OF 39.256. THE GROSS ACREAGE IS 40.013 WHICH HAS BEEN ADDED TO A REVISED ALTA AND IS INCLUDED WITH THIS RESUBMITTAL. THE TOTAL UNITS ALLOWED IS $40.013 \times 0.83 = 33.2$

9. The zoning ordinance requires the dedication of Natural Area Open Space (NAOS) in high priority areas, as per the ESL ordinance. The zoning ordinance requires the minimum NAOS width to be thirty (30 ft.) feet. Please update the project preliminary plat to identify a minimum 30-foot NAOS width provided by each proposed parcel (Zoning Ordinance Section 6.1060.F).

THIS HAS BEEN ADDED

10. Please provide NAOS data table (Ordinance Section 6.1060.A). NAOS data table must include: required NAOS, provided NAOS, undisturbed NAOS square-footage and percentage, and undisturbed NAOS square footage and percentage.

UPDATED NAOS DATA TABLE TO THE NAOS PLAN.

Application:

11. Please update the project narrative to acknowledge that no more than twenty-five (25%) percent of the dedicated Scenic Corridor area shall be utilized for drainage purposes.

THIS REQUIREMENT DOES NOT APPLY TO THIS CASE

12. This property currently contains a 55-foot-wide roadway easement along 128th Street, and a 15-foot-wide public utility easement and roadway easement along the west property line (126th Street alignment). Some of these rights-of-ways/easements may not be required by the Transportation Master Plan and may be available for abandonment. To count these areas towards provided NAOS, and to not be required to dimension required front yard setbacks from the edge of the easement, a new Abandonment application shall be acknowledged with the 2nd submittal of this rezoning application, and the Abandonment shall be approved by City Council and recorded prior to the recordation of any Final Plat. The 126th Street right-of-way, if not abandoned, will also create a double frontage lot situation on lots 2, 3, 4, 20, and 21. Please submit a pre-application request to begin the abandonment application process discussion.

A PRE-APPLICATION REQUEST FOR THE ABANDONMENT WILL BE INCLUDED WITH THE PRELIMINARY PLAT APPLICATION. THIS CAN BE ADDRESSED WITH BY STIPULATIONS.

13. Narrative states proposing amended development standards. The application thus far is only a rezoning request. Applicant will have to submit a preliminary plat application to request amended development standards. Update narrative to clarify that if the applicant proposes amended

development standards, they shall do so in a future preliminary plat application, based on the provisions of the Environmentally Sensitive Lands Ordinance.

THIS HAS BEEN INCLUDED IN THE REVISED NARRATIVE-SEE PAGE 7

14. The application appears to identify additional NAOS, then the required amount, as justification for the increase in density. A future application will have to identify the justification for amended development standards. Please update the project narrative to acknowledge the potential future process or may identify now the justification for amended development standards.

THE JUSTIFICATION FOR AMENDED DEVELOPMENT STANDARDS TO HAVE THE ABILITY TO PLACE THE NAOS INTO TRACTS VERSUS ON-LOT. THE NARRATIVE HAS BEEN UPDATED TO ADDRESS THIS COMMENT (SEE PAGE 7).

15. The significant wash located between proposed lots "13" and "14," and proposed lot "33," is maintained in a natural state until it meets the first street, heading south. The natural state of the wash abruptly ends after the street. This wash should be maintained in a natural state until exiting the site. Any alteration shall require a submittal of a Wash Modification (WM) application. Please coordinate with the planning coordinator for a WM case application.

THIS WASH FLOWS TO THE NORTHEAST AND EXISTS THE PARCEL AT 128TH STREET

Site Design:

16. Project Natural Area Open Space (NAOS) plan identifies the required scenic corridor area to be a minimum of seventy-five (75) feet in width. Please update the project site plan, and associated case materials, to provide a minimum eighty-five-foot-wide (85-ft) Scenic Corridor (SCDG Page 14, a.1). Please revise the proposed construction envelope for Lot 32, so that the parcel boundary will not encroach into the Scenic Corridor Easement described in the comment above that will reach across the eastern portion of Lot 32.

SITE PLAN AND GRAPHICS HAVE BEEN UPDATED TO REFLECT THE 85-FOOT MINIMUM WIDTH FOR THE SCENIC CORRIDOR.

17. The ESL ordinance limits the maximum revegetated NAOS area to thirty (30%) percent of the required NAOS area (Ordinance Sec. 1060.D.2). Please update the Conceptual Landscape Plan, and NAOS Plan, to provide the approximate square-footage and percentage of disturbed and revegetated NAOS. Please include the area within the building envelope that will have walls adjacent to NAOS (5-foot Reveg Area).

NAOS PLAN HAS BEEN UPDATED TO REFLECT REVEGETATED NAOS AREAS.

18. The proposed project will be required to dedicate right-of-way along E. Pinnacle Peak Drive and E. Ranchgate Road. This will create a "front yard" for those portions of proposed lots "1," "7," "21," "22," and "25," "26," "30," "31," and "32," adjacent to this street. Please update the proposed site plan accordingly: setbacks, NAOS widths, potential wall locations.

THE STREET ON THE SOUTH SIDE OF THE PROJECT IS NOT PINNACLE PEAK DRIVE BUT RATHER JUAN TABO WHERE THERE WILL BE A 20-FOOT HALF STREET DEDICATION PROVIDED. THE RANCH GATE RIGHT OF WAY WAS DEDICATED WITH THE IMPROVEMENTS DONE TO RANCH GATE ROAD BY SERENO CANYON SEVERAL YEARS AGO

Circulation:

19. The owner will likely be required to dedicate a 10 feet right-of-way along the E. Ranch Gate Road frontage. East Ranch Gate Road is now classified as a Minor Collector (DSPM Section 5-3.100;

Scottsdale Revised Code Sec. 47-10). Please update the project site plan, and associated case materials, accordingly.

EAST RANCH GATE ROAD IS AN EXISTING STREET AND WAS IMPROVED BY SERENO CANYON SEVERAL YEARS AGO. TO ACCOMPLISH THIS IMPROVEMENT, THIS PROPERTY OWNER DEDICATED 25-FEET OF RIGHT-OF-WAY. WE DO NOT SEE WHERE THE CITY STREETS CLASSIFICATION MAP IDENTIFIES THIS ROAD AS A MINOR COLLECTOR. WE AGREE TO A STIPULATION ON THIS, HOWEVER, WE ASK FOR FURTHER DISCUSSION WITH TRANSPORTATION STAFF TO DETERMINE IF IT IS REALLY NECESSARY AND JUSTIFIED.

20. The owner will likely be required to dedicate twenty (20) feet of right-of-way along the southern property line, E. Juan Tabo street alignment, for a Local Residential Street, Rural/ESL character (DSPM Figure 5.3-19, Scottsdale Revised Code Section 47-36; and DSPM Section 5-3.100). Please update the project site plan, and associated case materials, accordingly.

AGREED-STIPULATE

21. The owner will likely be required to dedicate forty (40) feet of right-of-way along the N. 128th Street frontage for a Minor Collector, Rural/ESL Character with Trail (DSPM Figure 5.3-11, Scottsdale Revised Code Section 47-36; and DSPM Section 5-3.100). Please update the project site plan, and associated case materials, accordingly.

AGREED-STIPULATE

22. The owner will likely be required to dedicate a Public Non-motorized Access Easement (PNMAE) over the required Scenic Corridor Easement (SCE).

AGREED-STIPULATE

23. The owner will likely be required to dedicate a minimum forty-foot-wide (40-ft) public right-of-way, or private tract, for all internal streets to a Local Residential Street, Rural/ESL character standard (DSPM Figure 5.3-19, Scottsdale Revised Code Section 47-36; and DSPM Section 5-3.100). Please update the project site plan, and associated case materials, accordingly.

AGREED-STIPULATE

24. The owner will likely be required to dedicate a minimum thirty-foot (30-ft) by thirty-foot (30-ft) portion of right-of-way triangle located at the E. Ranch Gate Road and N. 128th Street intersection; dedication is to accommodate a future roundabout (measured along the right-of-way lines for E. Ranch Gate and N. 128th Street) (DSPM Section 5-3.110). Please update the project site plan, and associated case materials, accordingly.

PURSUANT TO DISCUSSIONS WITH THE DEVELOPER OF STORYROCK, THE CURRENT DESIGN FOR 128TH STREET DOES NOT INCLUDE A ROUNDABOUT AT THIS INTERSECTION . SHOULD A ROUNDABOUT BE CONSIDERED IN THIS LOCATION IN THE FUTURE, WE WILL BE OPEN TO CONSIDERATION OF THIS DEDICATION.

25. The owner will likely be required to construct E. Ranch Gate Road to a Rural/ESL Minor collector cross section along the site's frontage, matching and aligning with the existing improvements to the west (DSPM Figure 5.3-16, 2008, Transportation Master Plan Chapter 7, Section 8; and DSPM Section 5-3.100). Please update the project narrative accordingly.

PLEASE REFER TO RESPONSE TO ITEM #19

26. The owner will likely be required to construct N. 128th Street, along the site frontage, to the Minor Collector, Rural/ESL character, with trail cross section (DSPM Figure 5.3-11, Scottsdale Revised Code Section. 47-36; and DSPM Section 5-3.100). Please update the narrative accordingly.

AGREED-STIPULATE

27. The owner will likely be required to construct the proposed internal streets to the Local Residential, Rural/ESL character cross section (DSPM Figure 5.3-19, Scottsdale Revised Code Section 47-36; and DSPM Section 5-3.100). Please update the project narrative accordingly.

AGREED-STIPULATE SEE REVISED NARRATIVE PAGE 8

Fire:

28. Please update the project site plan, and associated case materials, to provide a minimum drive width of twenty-four (24) feet (Fire Ordinance 4283 503.2.1).

DONE

29. Please update the project site plan, and associated case materials, to provide hydrant spacing as per Ordinance (Fire Ordinance 4283, 507.5.1.2).

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

30. Please update the project site plan, and associated case materials, to provide divided entrances, and drive thru by pass lanes, to be a minimum of twenty-foot-wide (20-ft) (DSPM Section 2-1.303(2)).

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

31. Please update the project site plan, and associated case materials, to provide and identify all turning radii to be in accordance with Ordinance (DSPM Section 2-1.303(5)).

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

Drainage:

32. Please submit two (2) copies of the revised Drainage Report with the original red-lined copy of the report to your Project Coordinator with the rest of the resubmittal material identified in Attachment A. Please update the project case drainage report to address the following:

- a. The submitted preliminary drainage report lacked a grading and drainage plan. Please submit preliminary grading and drainage plan which identifies proposed wash routing, stormwater and storage facilities.
- b. Submit CD with all digital H&H files. Provide digital files for proposed watershed boundaries.
- c. Proposed condition flow for outlet CP 4-OUT is greater than existing. Please mitigate and eliminate flow increase. Discharge increases are not allowed.
- d. Please expand stormwater retention section. It is not clear what waiver criteria is proposed to be used. Please submit stormwater storage analysis.
- e. Missing storage and outflow analysis. Missing preliminary grading and drainage plan. Please see Attachment #1 in the drainage report.

DONE-SEE REVISED DRAINAGE REPORT

Water and Waste Water:

33. Owner may be required to contribute to the expansion of the existing booster pump station ((BPS-145) and existing sewer lift station (SLS-52)), If, at the time of approval of the Final Plat, there is no water capacity according to 2010-168-COS-A1, or sewer capacity according to 2010-169-COS-A1. The expansion shall be via a Water/Sewer In-Leu Payment Agreement (Scottsdale City Code Section 49-225).

Engineering Review:

34. The owner will likely be required to construct off-site transportation, stormwater, and water resources improvements along the site's frontages to existing supporting infrastructure, with associated dedications, required.
- a. *Sereno Canyon Payback Agreements.* This development lies within in the Sereno Canyon water and sewer service area. Capacity to service this area is limited and allocated on a first come first serve basis, dependent upon final plat recordation. Should capacity be available to service this development at time of final plat, payment for capacity will be required per the Sereno Canyon Payback Agreement and associated amendments. If the service is not available, this development will be required to develop infrastructure capacity to service site.

Archaeology:

35. The letter written by Brent Kober of Northland Research, Inc. refers to Northland Technical Report No. 17-69 and indicates that the original survey was completed in 2007. However, our records are based on Northland Technical Report No. 07-69, which indicate that the original survey was conducted by Northland Research, Inc. in 2001 (Marshall 2001). Because the original survey and report is more than five years old, please provide an archaeology survey and report that is prepared by a qualified archaeologist, in conformance with Scottsdale Revised Code, Chapter 46, Article VI. – Protection of Archaeological Resources.

THE ARCHEOLOGY REPORT HAS BEEN UPDATED

Significant Policy Related Issues

Site Design:

36. Please provide a building envelope exhibit that clearly identifies the proposed setbacks.

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION. HOWEVER, A TYPICAL LOT DIAGRAM WITH SETBACKS AND BUILDING ENVELOPE HAS BEEN ADDED TO THE SITE PLAN.

37. Please provide a proposed wall location exhibit with the resubmittal. Please update the project site plan to identify the location of all site walls on the site plan (DSPM Section 2-2.405).

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

Water and Wastewater:

38. Owner shall be required to provide an 8-inch waterline along the property's southern boundary. This line is eligible for payback agreement with the parcels located to the south (DSPM Section 6-1.400).

SEE REVISED WATER AND SEWER REPORT

39. The project will be stipulated to loop the proposed waterline from the southwest cul-de-sac, to the 8-inch waterline, located along the southern border (DSPM Section 6-1.402).

SEE REVISED WATER AND SEWER REPORT

Landscape Design:

40. Please add the following note to the 'Landscape Notes' that are on the Conceptual Landscape Plan: Plants that are proposed to be installed in a detention basin or drainage channel shall be in conformance with Design Standards and Policies Manual Section 2-1.403 Native Plants in Detention Basins and Drainage Channels.

CONCEPTUAL SITE PLAN HAS BEEN UPDATED

Circulation:

41. Please update the project site plan, and associated case materials, to provide the site entry street to be located a minimum distance of 660 feet from the 128th Street monument line and the 125th Place monument line to allow a median opening (DSPM Section 5-3.123).

DONE.

42. Please update the project site plan, and associated case materials, to provide a minimum 6-foot-wide sidewalk along the site's E. Ranch Gate Road frontage, to be separated from the street by a minimum of four (4) feet (Scottsdale Revised Code 47-36 - Street Improvements; 2008 Transportation Master Plan Chapter 7, Section 8; and DSPM 5-3.100; DSPM 5-8.3.00).

SEE RESPONSE TO ITEM #19

43. The owner will likely be required to dedicate a one-foot-wide Vehicular Non-Access Easement along the site's E. Ranch Gate Road and N. 128th Street frontages; except at the approved site entrance on E. Ranch Gate Road.

AGREED-STIPULATE

44. The owner will likely be required to construct ten-foot (10-ft) unpaved trail located along the west frontage of N. 128th Street, within the complete dedicated right-of-way. Please update the project site plan, and associated case materials, accordingly (2016 Transportation Master Plan Scottsdale Trails Master Plan – Trail System Master Plan, February 2004 Trails Master Plan - planned trail segment (#170) between E. Pinnacle Peak Road and the McDowell Sonoran Preserve boundary (north of Ranch Gate Rd.), DSPM, January 2018, Section 8-3.202, Secondary Trails).

AGREED-STIPULATE

Engineering Review:

45. Please update the project site plan, and associated case graphics, to identify the gated entrances conforming to (DSPM 2-1.302 Figure 2.1-2).

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

46. Please update the project site plan, and associated case graphics, to identify all residential cul-de-sacs to have a minimum fifty-foot (50) right-of-way radius (DSPM Section 5-3.800).

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

47. Please update the project site plan, and associated case graphics, to identify water mains are to be provided along all frontages, including E. Juan Tabo Road (DSPM Section 6-1.400). Please include the water mains in the provided roadway cross-sections.

PLEASE REFER TO THE WATER AND SEWER REPORT. IMPROVEMENTS PER THE APPROVED REPORT CAN BE INCLUDED IN THE CASE STIPULATIONS AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

48. Please update the project site plan, and associated case graphics, to identify that the sewer mains are to be provided along all frontages, including E. Juan Tabo Road (DSPM Section 7-1.400). Please include the sewer mains in the provided roadway cross-sections.

PLEASE REFER TO THE WATER AND SEWER REPORT. IMPROVEMENTS PER THE APPROVED REPORT CAN BE INCLUDED IN THE CASE STIPULATIONS AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

49. Please update the project site plan, and associated case graphics, to provide and identify an "unpaved trail" along the west side of N. 128th Street frontage (2016 Transportation Master Plan). Please include the water mains in the provided roadway cross-sections.

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

50. Please update the project site plan, and associated case graphics, to provide and identify an "unpaved trail" is existing along the E. Ranch Gate Road frontage, illustrate in associated cross-section (2016 Transportation Master Plan).

THIS CAN BE STIPULATED AND ADDRESSED IN THE PRELIMINARY PLAT APPLICATION

Considerations

Site Design

51. Please consider placing more of the provided Natural Area Open Space in tracts throughout the site, rather than on-site, for a higher level of protection. Northern and southern wash areas should be placed within common tracts. Please consider eliminating lot "32" and incorporating the wash, located between lot "32" and the proposed cul-de-sac providing access to this lot, into the proposed tract "D." This consideration would also bring the proposal into conformance with the density requirement mentioned above.

NAOS HAS BEEN PLACED IN TRACTS TO THE FURTHEST EXTENT POSSIBLE.

Technical Corrections

Site:

52. With the next submittal, please submit a lot data table that indicates all of the proposed lot sizes.

A LOT DATA TABLE HAS BEEN PROVIDED WITH THE SITE PLAN.

Circulation:

53. Please coordinate the design of the E. Ranch Gate Road and N. 128th Street intersection with the developer of Story Rock. Master plans have already been prepared for this intersection.

DISCUSSIONS HAVE ALREADY BEEN INITIATED

PLEASE CALL 480-312-7767 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT.

The Planning & Development Services Division has had this application in review for 34 Staff Review Days since the application was determined to be administratively complete.

These **1st Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance please contact me at 480-312-7849 or at jmurillo@scottsdaleAZ.gov.

Sincerely,

David Gulino
Land Development Services

ATTACHMENT A

Resubmittal Checklist

Case Number: **18-ZN-2018**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded):

Digital submittals shall include one copy of each identified below.

- ☒ 10 copies: COVER LETTER – Respond to all the issues identified in this 1st Review Comment Letter
- ☒ One copy: Revised CD of submittal (CD/DVD, PDF format)
- ☒ One original: Signed Prop. 207 Waiver Request
- ☒ One copy: Revised Narrative for Project

- ☒ Context Aerial with the proposed Site Plan superimposed

Color 2 24" x 36" 2 11" x 17" 2 8 ½" x 11"

- ☒ Site Plan:

12 24" x 36" 2 11" x 17" 2 8 ½" x 11"

- ☒ NAOS Plan:

2 24" x 36" 2 11" x 17" 2 8 ½" x 11"

- ☒ Construction Envelope Exhibit:

2 24" x 36" 2 11" x 17" 2 8 ½" x 11"

- ☒ Landscape Plan:

Color 2 24" x 36" 2 11" x 17" 2 8 ½" x 11"

☒ Revegetation Site Plan & Techniques

2 24" x 36" 2 11" x 17" 2 8 ½" x 11"

☒ Scenic or Vista Corridor Plan

2 24" x 36" 2 11" x 17" 2 8 ½" x 11"

Technical Reports:

☒ 2 copies of Revised Drainage Report:

Resubmit the revised Drainage Reports application to your Project Coordinator with any prior City mark-up documents.

February 15, 2019

Jesus Murillo
City of Scottsdale-Senior Planner
7447 East Indian School Road
Scottsdale, AZ 85251

RE: 18-ZN-2018
McDowell Mountain Manor

Dear Mr. Murillo:

The following are our responses to the 2nd Review comments received in a letter dated January 21, 2019.

General Plan, Zoning Ordinance, and Scottsdale Revise Code Significant Issues

THE FOLLOWING GENERAL PLAN COMMENTS 1-6 ARE WORD FOR WORD THE SAME AS THE COMMENTS WE RECEIVED IN THE 1ST REVIEW COMMENTS. WE ADDRESSED THESE ISSUES IN OUR SECOND REVIEW. THERE IS NO INDICATION OF A REVIEW OF OUR RESPONSES AND CORRECTIONS AND IF STAFF IS IN AGREEMENT OR IF THERE ARE STILL ISSUES TO DISCUSS. A COPY OF OUR LETTER WITH THE RESPONSES TO THE FIRST REVIEW COMMENTS IS ATTACHED.

The following code and ordinance related issues have been identified in the first review of this application and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing and may affect the City Staff's recommendation. Please address the following:

2001 General Plan / Dynamite Foothills Character Area Analysis:

1. Please respond to the 2001 General Plan Open Space and Recreation Element, Goal #1. Please expand on the discussion of what this proposal is providing in terms of buffering between the subject property, adjacent neighbors and planned roadways. Please discuss the method of application in providing these open spaces. Consider the provisions of both Buffered Roadway in the response. Please address bullets 1, 9, 20, 22 and 23.
 - a. Case 1-GP-2004, identified Scenic Roadway Designations as part of the 2001 General Plan. Ranch Gate Road is classified as a Buffered Roadway, provides setback widths in the range of 40 to 50 feet in dimension in accordance with ESLO NAOS priorities, the placement of NAOS, and zoning setbacks. However, adjacent setbacks surrounding the subject site are greater than amended side yard setbacks (15 feet) provided with lots 1 and 7. With a resubmittal, please provide a Buffered Roadway graphic, outlining those areas proposed as being dedicated as a Scenic Corridor, as proposed along 128th Street and the above policy for Ranch Gate Road shown from the back of the ultimate street improvement.

For reference, see the following link:

<https://eservices.scottsdaleaz.gov/eServices/cases/casesheet.aspx?caseid=26962>

**18-ZN-2018
02/15/2019**

2. This application includes a request for amended development standards. Please state what the proposal is providing to justify the amended development standards. For example, the application requests amended development standards to accommodate sensitive areas; specifically, Page 6 of the narrative refers to the Guiding Principle to Preserve Meaningful Open Space and speaks to the amount of NAOS that is proposed. However, this NAOS is proposed as on lot rather than tract NAOS. Tract NAOS provides greater assurances that the open space will be retained and preserved. Therefore, in consideration to the request for amended development standards, please consider replacing on lot NAOS with Tract NAOS so that the open space provided by this development proposal will be protected permanently.

Upon resubmittal please update the graphics provided with the 1st submittal narrative as noted below:

- a. To ensure the protection of significant environmental features - i.e. boulder outcroppings, significant landforms, etc., please provide additional detail that identifies these environmental features on the conceptual site plan that also identifies planned roadways, drainage corridors, and any other planned improvements.
 - b. Please graphically depict, if any, individual lot or site walls associated with the proposed subdivision. If there are to be such improvements, please respond in the project narrative as to the consideration made in locating the wall and further, how the goal of preserving Natural Area Open Space (NAOS) will be maintained. Please consider the guidelines of the Dynamite Foothills Character Area Implementation Plan, Page 29.
3. The Dynamite Foothills Character Area Plan was developed considering the context of the plan's boundary relative to its location in Scottsdale (particularly its proximity to the McDowell Sonoran Preserve), and the vision to maintain the Rural Desert Character of this area. Please describe in greater detail how the rezoning density proposed is consistent with Rural Desert Character expected by the Dynamite Foothills Character Area Plan. Consider the requested zoning district category as compared to established zoning districts that surround the subject property – recognizing the following:
 - Sereno Canyon was developed with a Resort/Tourism Land Use Designation which along with the approved entitlements brought forward by 1-ZN-2005#2, 10-GP-2001, and 16-ZN-2011 accommodated a specialty resort as part of the approved site plan that exhibited methods of clustered development within the site, along with the resort villas, casitas, and main resort areas which based on the approved lot layout, buffered and transitioned from the resort community to the surrounding single family neighborhood – in all total, netting 1.1 dwelling units per acre.
 - Cavalliere Ranch, now Storyrock, approved by 13-ZN-2014 was developed under the Planned Community District which is designed and intended to enable and encourage the development of large tracts of land through master-planning– in all total, netting 1 dwelling unit per acre.
 - Please remark on how the requested rezoning improves upon the goals and approaches set forth by the 2001 General Plan, Dynamite Foothills Character Area Plan and the previously approved preliminary plat 11-PP-2008#2, which envisioned a just over a third (13) of the proposed lots but provided a similar amount of Natural Area Open Space (NAOS).

4. The Dynamite Foothills Character Area Plan remarks on the strategy to preserve the existing rural desert character by encouraging and allowing development densities that would be permitted under current zoning and General Plan designations - which is 1 unit per acre or less per the General Plan Rural Neighborhoods designation and 1 unit per roughly 3 acres per the subject site's current zoning designation (R1-130 ESL). With a resubmittal, please respond to how the requested rezoning better implements the aforementioned strategy - moreover, the Dynamite Foothills Character Area. The Dynamite Foothills Character Area Plan speaks to minimizing environmental impacts created by development. The Dynamite Foothills Character Area Plan identifies areas, within the Dynamite Foothills Character Area, that may require density adjustments. The proposed project area is not identified by the Dynamite Foothills Character Area Plan as such an area (DFCAP, Goal 1, Strategy 1, page 2 and 13).
5. Please review the Dynamite Foothills Character Area Plan's Implementation Program for identified areas of constraints and design guidelines. Update the provided narrative to address how the proposed project will adhere to this implementation program (DFCA Implementation Program, page 2).
6. Please respond to the Dynamite Foothills Character Area Plan's Implementation Program Design and Performance Guidelines 1 and related bullets addressing Location Standards and Sensitivity to Setting. As needed, revise the provided narrative to address how the proposed project is consistent with the Guidelines. Specifically, please address the location of construction envelopes on slopes exceeding 15% and also how the project will minimize any needed cut and fill on slopes of 10% or steeper. Therefore, please provide cuts and fills exhibit and update the conceptual site plan to show conceptual, but strategic, building envelopes that respond to how the proposed development will protect this sensitive terrain.
7. With a resubmittal, please provide an updated Citizen Involvement Report.

THE UPDATED CITIZENS INVOLVEMENT REPORT HAS BEEN PROVIDED ELECTRONICALLY VIA EMAIL AND A HARD COPY IS INCLUDED IN THIS RESUBMITTAL

Zoning:

8. The zoning ordinance requires the dedication of Natural Area Open Space (NAOS) in high priority areas, as per the ESL ordinance (specifically the area between lots 31/33 and 32 – see paragraph 20 below).

SEE OUR RESPONSE TO ITEM 20

9. Please provide NAOS data table (Ordinance Section 6.1060.A). NAOS data table must include required NAOS, provided NAOS, undisturbed NAOS square-footage and percentage, and undisturbed NAOS square footage and percentage.

THIS COMMENT IS IDENTICAL TO ITEM 10 OF THE FIRST REVIEW LETTER. AS A RESULT OF THAT FIRST REVIEW COMMENT, THIS DATA WAS PLACED ON THE NAOS EXHIBIT AND INCLUDED WITH THE SECOND SUBMITTAL. PLEASE ADVISE IF THERE ARE FURTHER CORRECTIONS REQUESTED.

Site Design:

10. The ESL ordinance limits the maximum revegetated NAOS area to thirty (30%) percent of the required NAOS area (Ordinance Sec. 1060.D.2). Please update the Conceptual Landscape Plan, and NAOS Plan, to provide the approximate square-footage and percentage of disturbed and revegetated NAOS. Please include the area within the building envelope that will have walls adjacent to NAOS (5-foot Reveg Area).

THE CONCEPTUAL LANDSCAPE PLAN HAS BEEN UPDATED

Fire:

11. Please update the project site plan, and associated case materials, to provide hydrant spacing as per Ordinance (Fire Ordinance 4283, 507.5.1.2).

THIS LEVEL OF DETAIL IS TYPICALLY RESERVED FOR THE PRELIMINARY PLAT. WE REQUEST THAT THIS BE ADDRESSED BY STIPULATION TO BE INCLUDED WITH THE PRELIMINARY PLAT APPLICATION.

12. Please update the project site plan, and associated case materials, to provide divided entrances, and drive thru by pass lanes, to be a minimum of twenty-foot-wide (20-ft) (DSPM Section 2-1.303(2)).

THIS LEVEL OF DETAIL IS TYPICALLY RESERVED FOR THE PRELIMINARY PLAT. WE REQUEST THAT THIS BE ADDRESSED BY STIPULATION TO BE INCLUDED WITH THE PRELIMINARY PLAT APPLICATION.

Drainage:

13. Please submit two (2) copies of the revised Drainage Report with the original red-lined copy of the report to your Project Coordinator with the rest of the resubmittal material identified in Attachment A. Please update the project case drainage report to address the following:
 - a. The preliminary grading and drainage plan have been submitted for the first time (G&D). The provided G&D plan is missing proposed contours for roadway infrastructure and flow diversion wall. All proposed basin contours shall be tied to existing surface contours. Call out and depict lateral erosion setback limits. If building envelope is located within lateral erosion setback limits, erosion mitigation shall be provided with subdivision construction. See all comments on preliminary G&D plan.
 - b. Submit CD with all digital H&H files. Update HEC-RAS bank stations to reflect true bank location, expand section geometry to archive flow containment.

A COMMENT TRACKING LOG HAS BEEN PREPARED BY THE ENGINEER AND IS INCLUDED WITH THE REVISED DRAINAGE REPORTS

Water and Waste Water:

14. Owner may be required to contribute to the expansion of the existing booster pump station ((BPS-145) and existing sewer lift station (SLS-52)), If, at the time of approval of the Final Plat, there is no water capacity according to 2010-168-COS-A1, or sewer capacity according to 2010-169-COS-A1. The expansion shall be via a Water/Sewer In-Leu Payment Agreement (Scottsdale City Code Section 49-225).

Archaeology:

15. The letter written by Brent Kober of Northland Research, Inc. refers to Northland Technical Report No. 17-69 and indicates that the original survey was completed in 2007. However, our

records are based on Northland Technical Report No. 07-69, which indicate that the original survey was conducted by Northland Research, Inc. in 2001 (Marshall 2001). Because the original survey and report is more than five years old, please provide an archaeology survey and report that is prepared by a qualified archaeologist, in conformance with Scottsdale Revised Code, Chapter 46, Article VI. – Protection of Archaeological Resources.

THERE WAS A TYPO IN THE LETTER BY BRENT KOBER. THE REPORT REFERENCE SHOULD BE IS 07-69. THE LETTER HAS BEEN REVISED. THE REVISED LETTER THE SHPO SURVEY REPORT SUMMARY PREPARED BY NORTHLAND IN OCTOBER OF 2018 ALONG WITH THE APPLICATION FOR A CERTIFICATE OF NO EFFECT ARE INCLUDED IN THIS RESUBMITTAL. THESE ITEMS WERE ALSO EMAIL TO STEVE VENKER ON 1/29/19.

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. Even though some of these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Site Design:

16. Please provide a building envelope exhibit that clearly identifies the proposed setbacks for all proposed lots.

THE BUILDING ENVELOPE EXHIBIT HAS BEEN UPDATED AND INCLUDED WITH THIS SUBMITTAL.

17. Please provide a proposed wall location exhibit with the resubmittal. Please update the project site plan to identify the location of all site walls on the site plan (DSPM Section 2-2.405).

WALL LOCATIONS HAVE BEEN INCLUDED ON THE SITE PLAN EXHIBIT

Circulation:

18. Please update the project site plan, and associated case materials, to provide a minimum 6-foot-wide sidewalk along the site's E. Ranch Gate Road frontage, to be separated from the street by a minimum of four (4) feet (Scottsdale Revised Code 47-36 - Street Improvements; 2008 Transportation Master Plan Chapter 7, Section 8; and DSPM 5-3.100; DSPM 5-8.3.00).

THIS LEVEL OF DETAIL IS TYPICALLY RESERVED FOR THE PRELIMINARY PLAT. WE REQUEST THAT THIS BE ADDRESSED BY STIPULATION TO BE INCLUDED WITH THE PRELIMINARY PLAT APPLICATION.

19. The owner will likely be required to dedicate a one-foot-wide Vehicular Non-Access Easement along the site's E. Ranch Gate Road and N. 128th Street frontages; except at the approved site entrance on E. Ranch Gate Road.

Considerations

The following considerations have been identified in the first review of this application. While these considerations are not critical to scheduling the application for public hearing, they may improve the quality and may reduce the delays in obtaining a decision regarding the proposed development. Please consider addressing the following:

Site Design

20. Please consider eliminating lot "32" and incorporating the wash, located between lot "32" and the proposed cul-de-sac providing access to this lot, into the proposed tract "D." The drainage plan identifies 173 cfs running through this wash.

THIS DRIVEWAY CROSSING IS NOT PROHIBITED BY CODE. THIS ISSUE CAN BE LOOKED INTO IN GREATER DETAIL IN THE PRELIMINARY PLAT APPLICATION AND ADJUSTED IF NECESSARY, AT THAT POINT.

If you have any questions, please contact me at (602) 330-5252 or email me at DGULINO@LDSERVICES.NET

Thank you,

David Gulino
Land Development Services, LLC